

1 MR. ROMNEY: I didn't hear what that last question  
2 and answer was.

3 JUDGE STEINBERG: Please repeat it.

4 MR. KNOWLES-KELLETT: Okay.

5 MR. KNOWLES-KELLETT: I characterized it as -- he  
6 said he sort of convinced him to sign an application.

7 JUDGE STEINBERG: No, no. No, no, no.

8 MR. KNOWLES-KELLETT: Okay.

9 JUDGE STEINBERG: Do you want me to -- well, no,  
10 you restate it.

11 MR. KNOWLES-KELLETT: Okay.

12 JUDGE STEINBERG: I know what you said but we'll  
13 see if you know what you said.

14 MS. LANCASTER: Why don't we read it back?

15 JUDGE STEINBERG: That takes too much time.

16 MR. KNOWLES-KELLETT: Okay.

17 BY MR. KNOWLES-KELLETT:

18 Q I believe that the gist of that was that Ronald  
19 sort of convinced you that you had signed an application?

20 A Yes, sir.

21 Q Okay. In the discussions this same period of  
22 time, is that we are talking about?

23 A Yes, sir.

24 Q Okay. I would like you to turn to Exhibit 40.

25 At the time you wrote this letter did you believe

1       that you had signed an application?

2               JUDGE STEINBERG: Do you want -- never mind. I'm  
3       sorry. State it again. I didn't mean to --

4               MR. KNOWLES-KELLETT: Okay.

5               BY MR. KNOWLES-KELLETT:

6               Q     At the time you wrote this letter did you believe  
7       you had signed an application?

8               A     I was confused if I had or not. I mean, there was  
9       a license in my name because I saw it on that Net Wave  
10      petition.

11              Q     Okay.

12              A     I knew there was a license. There was no doubt  
13      about that. I was confused about -- I still had no memory  
14      and to this day have no memory because I have not signed a  
15      license application.

16              Q     Okay.

17              A     I've never signed one.

18              Q     So is it fair to say that you had doubts at this  
19      time?

20              A     Tremendous amount of doubts.

21              Q     Okay. I would like to you to turn to Exhibit 37,  
22      page 27.

23              A     Twenty-seven.

24              Q     Did you receive this letter from Ronald Brasher?

25              A     Yes, sir, I did.

1 MR. PEDIGO: Excuse me. What page of Exhibit 37?

2 MS. LANCASTER: Twenty-seven.

3 JUDGE STEINBERG: Thirty-seven, page 27.

4 MR. KNOWLES-KELLETT: Okay.

5 BY MR. KNOWLES-KELLETT:

6 Q Do you see the second sentence where it says, "You  
7 signed a request for the license in July 1996 at your office  
8 with Norma, Pat, and Ronald present."?

9 A I see it.

10 Q Okay. Did you have any discussions along those  
11 lines with Ronald?

12 A Constantly. I didn't sign. I've never signed.

13 Q Okay. In particular, did you sign in your office  
14 in July 1996, with Ron, Norma, and Pat and Ronald present?

15 A Absolutely not.

16 Q Okay. It indicates there that you would have  
17 received a yellow coordination card and a green coordination  
18 card from the coordinator and a radio license from the FCC.

19 Do you see that?

20 A Yes, sir.

21 Q Did you receive any of those documents?

22 A If I did, I don't remember it or recall it. I  
23 never recall receiving anything in my name from FCC.

24 Q Okay.

25 JUDGE STEINBERG: Do you remember -- have you ever

1 heard of an organization called N-A-B-E-R?

2 Am I getting that right?

3 MR. KNOWLES-KELLETT: Yes, Your Honor.

4 JUDGE STEINBERG: Did you ever hear of that name?

5 THE WITNESS: I'm sorry.

6 JUDGE STEINBERG: N-A-B-E-R, an organization with  
7 those initials?

8 THE WITNESS: Say it again, please.

9 JUDGE STEINBERG: Oh, N-A-B-E-R.

10 THE WITNESS: I'm not hard of hearing but I --

11 JUDGE STEINBERG: That's okay.

12 THE WITNESS: No, sir, I -- NABER?

13 JUDGE STEINBERG: Yes.

14 THE WITNESS: NABER?

15 JUDGE STEINBERG: Yes, that's how you would say  
16 it.

17 THE WITNESS: No, sir. It seems like I have seen  
18 that term somewhere, but I don't --

19 JUDGE STEINBERG: Do you know where you have seen  
20 it?

21 THE WITNESS: No, sir.

22 JUDGE STEINBERG: Could you have seen it on a  
23 little cards that came in the mail?

24 THE WITNESS: No, sir.

25 JUDGE STEINBERG: Or letters that came in the mail

1 to you?

2 THE WITNESS: No, sir. I don't -- I don't think  
3 so.

4 BY MR. KNOWLES-KELLETT:

5 Q I would like you to turn to page 28, the next page  
6 in the exhibit, Exhibit 37.

7 A Yes, sir.

8 Q Did you ever see a yellow card or a green card  
9 from PCIA to this effect?

10 A No, sir.

11 MR. KNOWLES-KELLETT: I would ask that other  
12 counsel stipulate --

13 JUDGE STEINBERG: What page? I'm sorry.

14 MR. KNOWLES-KELLETT: Twenty-eight.

15 JUDGE STEINBERG: Of this -- oh, the next page.

16 MR. KNOWLES-KELLETT: Right.

17 JUDGE STEINBERG: Okay. That was easy.

18 MR. KNOWLES-KELLETT: Will counsel stipulate that  
19 NABER became PCIA, merged with them?

20 JUDGE STEINBERG: Well, we'll get PCIA witnesses  
21 to say that.

22 MR. KNOWLES-KELLETT: Okay.

23 JUDGE STEINBERG: And I think you can just ask  
24 your question --

25 MR. KNOWLES-KELLETT: Okay.

1 JUDGE STEINBERG: -- regardless of whether or not  
2 they merged.

3 MR. KNOWLES-KELLETT: Okay.

4 (Pause.)

5 BY MR. KNOWLES-KELLETT:

6 Q I would like you to turn to Exhibit 20?

7 A Twenty.

8 JUDGE STEINBERG: Could I ask, does anybody in  
9 this room have an actual yellow and an actual green card? I  
10 mean, a real one, regardless of whose name is on it or  
11 anything?

12 MR. ROMNEY: Hang on. We'll find out.

13 JUDGE STEINBERG: Okay.

14 MR. ROMNEY: Mr. Black did.

15 JUDGE STEINBERG: I know.

16 MR. ROMNEY: We let it go.

17 JUDGE STEINBERG: Well, it's too late to get him  
18 back. He left about a half an hour ago, supposedly.

19 (Pause.)

20 JUDGE STEINBERG: Well, you can ask your next  
21 question while we are looking. I mean, what I would like to  
22 do if it's at all possible is show the witness an example of  
23 the actual type of thing that would come in the mail rather  
24 than a photocopy that's depicted in Exhibit 37, page 28, and  
25 see if that rings any bells. I mean, it's a shot.

1 BY MR. KNOWLES-KELLETT:

2 Q I would like to actually to bring your attention  
3 to Exhibit 37, page 30.

4 Is that your signature?

5 A Yes, sir.

6 Q Did you sign that?

7 A Yes, sir.

8 Q And how did you come to sign that document?

9 A Well, after discussion about this with Ronald, I  
10 told -- we told Ronald that we wanted these license out of  
11 our names, he presented this to us and said this was the  
12 transfer paper and for us to sign it, and so I signed it and  
13 dated it.

14 (Pause.)

15 MR. KNOWLES-KELLETT: Okay.

16 BY MR. KNOWLES-KELLETT:

17 Q Do you recognize this to be an assignment of  
18 authorization for the FCC license WPJR725, the license  
19 issued in your name?

20 A I understood it to be a transfer from my name to  
21 either him or DLB.

22 Q Okay. Do you see down in the certification where  
23 it says you propose to assign all your rights to DLB, d/b/a  
24 Metroplex?

25 A Yes, sir.

1 Q Okay. And that's what you intended to do by  
2 signing this document?

3 A Yes, sir.

4 Q And if you would flip a couple of pages to page 33  
5 of Exhibit 37.

6 MR. ROMNEY: I'm sorry?

7 JUDGE STEINBERG: Page 33, same exhibit.

8 BY MR. KNOWLES-KELLETT:

9 Q Okay, this is the authorization for WPJR725. I  
10 believe you stated that you saw this when Mr. McVeigh  
11 obtained it for you?

12 A Yes, sir, I believe that's right.

13 Q Okay. Do you recognize this as a license for a  
14 radio station?

15 A It says Radio Station License.

16 Q Okay. Do you know where this station is to be  
17 located?

18 A This station?

19 Q Yes.

20 A No, sir.

21 Q Okay. If you look under transmitter street  
22 address, maybe a third of the way down.

23 A Right.

24 Q It says Allen, Texas?

25 A Yes, sir, I see it.

1           Q     Have you ever been to a radio tower at Allen,  
2     Texas?

3           A     Absolutely not.

4                     JUDGE STEINBERG:   How about a cinder block  
5     building?

6                     THE WITNESS:   Sir?

7                     JUDGE STEINBERG:   A cinder block building in  
8     Allen, Texas?

9                     THE WITNESS:   No, sir.

10                    JUDGE STEINBERG:   With a fence around it?

11                    THE WITNESS:   No, sir.

12                    BY MR. KNOWLES-KELLETT:

13           Q     Were you aware that DLB operated out of Allen,  
14     Texas?

15           A     I believe vaguely I had had heard something about  
16     they had something up at Allen, Texas.

17           Q     Okay.

18           A     But that's vague in my recollection.

19           Q     Do you have any idea whether this radio station  
20     license authorizes the use of a repeater?

21           A     I don't understand today about a repeater.  No,  
22     sir, I don't know what that -- I don't know.

23           Q     Okay.  Do you know if it's trunked or  
24     conventional?

25           A     I have -- don't even know what you are talking

1 about.

2 Q Okay. Do you know what type of customers might be  
3 served by this radio license?

4 A I would assume people with delivery trucks that  
5 needed a radio.

6 Q Why would you assume that?

7 A Well, they have a two-way -- I mean, they have a  
8 radio, a two-way radio to call into the office, I would  
9 assume.

10 Q Okay. Do you know if this license is used in  
11 that?

12 A No, I wouldn't have any idea.

13 Q Okay. What then do you base your assumption on?

14 A I'm sorry. Which assumption?

15 Q You said you assumed that it would be delivery  
16 trucks type.

17 A Well, I would think the type people that would  
18 need a two-way radio would be a delivery truck or a concrete  
19 delivery service or something that would need to call in and  
20 talk back and forth to their home office.

21 Q Okay. Do you have any knowledge of specific  
22 customers serviced on this license?

23 A No. On this license? No, sir.

24 Q Okay. Do you have any knowledge of the fees they  
25 were charged, might have been charged?

1 A No, sir.

2 Q Were you ever consulted on the fees that they were  
3 charged?

4 A No, sir.

5 Q Do you have any knowledge whether customers would  
6 need coverage up in Allen, Texas?

7 A I wouldn't have any idea.

8 Q Do you have any idea of what it would cost to  
9 construct a radio station of the type authorized by this  
10 license?

11 A No, sir, not at all.

12 Q How much it would take to rent space to operate a  
13 station at a site in Allen, Texas?

14 A No, sir, I wouldn't know.

15 Q Did you ever -- do you know how many mobiles are  
16 authorized by this license, mobile units, mobile radio?

17 A No, sir.

18 Q Did you ever supervise anybody operating a radio  
19 station pursuant to this license?

20 A No, sir. I wouldn't be qualified to do that.

21 Q Would you supervise anybody billing the customers  
22 operating on this license?

23 A Well, I could do that, but I didn't do that.  
24 You're talking about doing the accounts receivable?

25 Q The accounts receivable, yes.

1           A     I mean, are you saying am I capable of supervising  
2     accounts receivable?

3           Q     Have you ever is my question.

4           A     Did I ever? No.

5           Q     Okay. Did you ever do any collection work against  
6     customers working on this license?

7           A     No, sir, I never did any collection work for  
8     anybody.

9           Q     Never strong-armed anybody?

10          A     No, sir, that's not my field.

11          Q     Okay. Do you know if this station was profitable?

12          A     No, sir, not this station. I can tell you that --  
13     I can tell you that DLB was profitable. I can't tell you  
14     the station is profitable.

15          Q     Can you tell me that the repeater business at DLB  
16     was profitable?

17          A     Not without allocating some costs that we didn't  
18     do. We didn't do any cost allocations.

19          Q     Okay.

20          A     We knew the -- we knew the repeater revenue.

21          Q     Okay.

22          A     But we didn't allocate the costs so I --

23          Q     Would you know the repeater revenue by frequency  
24     range?

25          A     No, sir.

1 Q Okay. Would you know the repeater revenue by site  
2 location?

3 A No, sir.

4 Q Did you ever agree to loan anybody money to  
5 construct this station?

6 A Absolutely not.

7 Q To operate this station?

8 A No, sir.

9 Q Did you ever risk any money with respect to this  
10 station?

11 A None.

12 Q Did you have any knowledge of the revenues from  
13 this station?

14 A I'm sorry?

15 Q Did you have any knowledge of the revenues from  
16 this station?

17 A Only in a general context of the total revenue of  
18 the corporation.

19 Q Okay. And during what period did you have  
20 knowledge of the revenues from this station as a part -- in  
21 the context of the total revenue?

22 A I'd say the total time that I did books on this  
23 station existed. I mean, I don't know the date. This is  
24 '96, and that would be included -- mixed in with the other  
25 revenues, I would assume.

1 Q Okay. I would like you to turn to Exhibit 38 for  
2 just one second.

3 A Okay.

4 Q The date -- you and Ronald, as you've testified,  
5 reported that this station was constructed was 2-6-97.

6 Do you see that?

7 A Yes, sir.

8 Q So do I understand you to say that you knew the  
9 aggregate revenues from the repeater business from then till  
10 the end of your engagement at DLB?

11 A Yes, sir.

12 Q Okay. Would you have known it after the end of  
13 your engagement at DLB?

14 A No, sir.

15 Q Okay. Have you received any information regarding  
16 revenues at DLB since your engagement terminated?

17 A No.

18 MR. ROMNEY: I'm sorry. I couldn't catch what  
19 that was.

20 JUDGE STEINBERG: The question too?

21 MR. ROMNEY: Yes, sir.

22 JUDGE STEINBERG: Why don't you ask it again --

23 MR. KNOWLES-KELLETT: Okay.

24 JUDGE STEINBERG: -- louder.

25 MR. KNOWLES-KELLETT: Okay.

1 BY MR. KNOWLES-KELLETT:

2 Q Do you have any knowledge of the -- have you  
3 received any reports regarding the revenue -- repeater  
4 revenue at DLB since the end of your engagement as their  
5 accountant?

6 A No, sir, I have not.

7 Q Has there been any promise of revenue from this  
8 station made by DLB to you?

9 A No, sir.

10 (Pause.)

11 BY MR. KNOWLES-KELLETT:

12 Q Returning back to the mobile phone in Jennifer's  
13 car for a second.

14 What did you say the dates were that you had that?

15 A We had that from 1990 -- I'm sorry -- 1989 to  
16 1992, the way I recall it.

17 Q Okay. Did you pay for that?

18 A I paid for part of it.

19 Q Okay. Could you explain what parts of it you paid  
20 for?

21 A Well, you want the whole story?

22 Q I would like the whole story.

23 A It's not a story. It's what happened. Okay.

24 The situation was that Pat -- I think it was Pat  
25 or Ronald said we'd like to put a radio in Jennifer's car.

1 Jennifer was going to college at the University of Texas at  
2 Arlington, going back and forth. Of course, we were  
3 concerned about her safety, and so they said let's put a  
4 radio, this radio or telephone, I don't know which to call  
5 it, in her car, and then in case of trouble or emergency she  
6 will be able to contact someone. And we said fine.

7 And they said we'll put this on our system. And I  
8 assume they did because, like I said earlier, we would pick  
9 the phone up at times or the radio up at times, and they  
10 would be talking on it like a party line, and we would have  
11 to wait till they got through.

12 And so it was on there, and there was no billing  
13 for it. They did not bill us for it.

14 And then toward the end though I -- I understood  
15 that he sold this system because all of a sudden I get a  
16 bill from this company called Fleet Call, or Fleet, or Fleet  
17 Call. And I didn't understand it, so I called up over to  
18 DLB and I talked to them, and found out that that was the  
19 billing on this radio for several months.

20 And so I would assume that when Ronald sold it he  
21 sold the receivable too, and all of a sudden I owed these  
22 people three or four hundred dollars. So I gave it to Pat  
23 and she said she would take care of it. She didn't. The  
24 next month I gave her the bill again. She said she would  
25 take care it. She didn't. So I ended up -- I just paid it

1 because I didn't want my name -- have a bad credit rating on  
2 my name. So I paid it. I think I paid it in two  
3 installments. It was three to four hundred dollars. Paid  
4 it in two installments.

5 And later Pat says to me, "What ever happened on  
6 that bill?" And I said, "Well, I just paid it because I  
7 didn't want to ruin my credit rating for three or four  
8 hundred dollars."

9 I'm sure that wasn't the whole time we had the --  
10 the billing for the whole time we had the radio, but it was  
11 toward the end.

12 Q Was there any understanding of why they gave you  
13 free use of the phone at the beginning of the period?

14 A Family favor.

15 MR. ROMNEY: I'm sorry. I can't hear that, Your  
16 Honor. Any indication of why they did what?

17 MR. KNOWLES-KELLETT: Gave free use of the phone  
18 at the beginning of the time he had the phone.

19 THE WITNESS: I would say that they were as  
20 concerned about Jennifer's safety as we were. We were a  
21 very close family at that point, and I understood that Pat  
22 was concerned about her safety, and I understood it to be a  
23 family favor that they put the phone in. The phone was not  
24 very useful as far as having a phone to drive around and  
25 talk on, but it would have been fine in the case of an

1 emergency.

2 BY MR. KNOWLES-KELLETT:

3 Q Was it ever discussed that that was compensation  
4 for signing any radio application?

5 A Absolutely not. I didn't know I had signed any --  
6 I didn't -- I knew I had never signed any radio  
7 applications.

8 Q Was it ever discussed that it was compensation for  
9 anyone in your family signing a radio application?

10 A No, sir, not at all.

11 Q Was it ever discussed that you owed them monies  
12 from having received that free phone for the time?

13 A No, sir.

14 Q I would like you to turn to Exhibit 41. Look at  
15 page 3 and on, and then in particular page 4.

16 MR. ROMNEY: Which exhibit, please?

17 MR. MCVEIGH: Forty-one.

18 MR. ROMNEY: Forty-one.

19 BY MR. KNOWLES-KELLETT:

20 Q On page 4 of that -- do you see where it appears  
21 to be the signature of Norma Sumpter?

22 A It's not her signature.

23 Q I want to ask, are you generally familiar with her  
24 handwriting?

25 A Yes, sir.

1 Q Is that her handwriting?

2 A No, sir.

3 Q Okay. Is there some other reason you know it's  
4 not her signature?

5 A I can tell by looking.

6 Q Pardon?

7 A I can tell by looking.

8 Q Okay, I would like you to turn to Exhibit 49, on  
9 page 3 of that exhibit. Do you see where it appears to be  
10 Melissa Sumpter's signature?

11 A Yes, sir.

12 Q Is that Melissa's signature?

13 A No, sir.

14 Q Do you know Melissa's handwriting?

15 A Yes, sir. very well.

16 Q Can you explain how Melissa is related to you?

17 A My daughter.

18 Q Okay. And you have seen her sign her name?

19 A Yes, sir.

20 Q And you're familiar with her handwriting?

21 A Yes, sir.

22 Q Now, I would like you to look at 54. Do you see  
23 on page 3 what looks like -- it purports to be the signature  
24 of Jennifer Hill?

25 A I see it.

1 Q Dated 6-18-96?

2 A Yes, sir.

3 Q Is that Jennifer Hill's signature?

4 A No, sir.

5 Q Are you familiar with Jennifer Hill's handwriting?

6 A Yes, sir.

7 Q Is that her handwriting?

8 A No, sir.

9 Q Is there any other reason you know this is not her  
10 signature?

11 A By looking.

12 Q Okay. Okay, in the big book, that's Exhibit 19.

13 (Pause.)

14 BY MR. KNOWLES-KELLETT:

15 Q I would like you to turn to page 200.

16 A It's numbered at the -- oh.

17 JUDGE STEINBERG: Yes, see it down here.

18 MS. LANCASTER: Did you hear that, Mark?

19 MR. ROMNEY: No.

20 MS. LANCASTER: Page 200.

21 (Pause.)

22 JUDGE STEINBERG: If I remember correctly, there  
23 is another exhibit where I presume the pages you are going  
24 to show Mr. Sumpter are better reproduced, and I think --

25 MR. KNOWLES-KELLETT: I believe that these were

1 the best ones, Your Honor.

2 MS. LANCASTER: Yes, sir.

3 JUDGE STEINBERG: These were the better ones?

4 MS. LANCASTER: Yes, sir.

5 JUDGE STEINBERG: Okay.

6 MR. KNOWLES-KELLETT: The worst ones were where we  
7 had copied the pages with their Bates numbers.

8 JUDGE STEINBERG: Okay.

9 BY MR. KNOWLES-KELLETT:

10 Q Do you see on that page -- looking -- okay,  
11 looking at page 199 through 204, do you recognize that as an  
12 application for mobile radio service authorization?

13 A Yes, sir.

14 Q Okay. On the second page, page 200, do you see  
15 the signature of Norma Sumpter dated 6-22-96?

16 A Yes, sir.

17 Q Do you know if that's Norma Sumpter's signature?

18 A No, sir, it's not.

19 Q Okay, how do you know that it's not?

20 A Because she wasn't in town that day.

21 Q Okay. Could you tell us where Norma Sumpter was  
22 on 6-22-96?

23 A She was in Junction, Texas.

24 Q Could you tell us where Junction, Texas is in  
25 relation to your home?

1           A     My house being in Mesquite, Texas. It's in  
2 southwest Texas in what they call the hill country. It's  
3 about 325 miles from Mesquite.

4           Q     Okay. Were you in Junction, Texas?

5           A     Yes, sir.

6           Q     Why were you in Junction, Texas?

7           A     I was in Junction, Texas on that trip and other  
8 trips to check on my elderly aunt that lived there at that  
9 time that moved in with us during July of '96, and she was  
10 ill, and at that point had had some problems, had been  
11 checked in the hospital several times. And we had gone down  
12 there that weekend to check on her, Norma and I.

13          Q     I'm passing you a Road Atlas, and this is actually  
14 not going to show up on the record. I have a xerox of this  
15 for the record, Your Honor, that I will be offering in a  
16 minute.

17                    Could you just indicate for the job where Dallas  
18 is?

19          A     Sure.

20          Q     Most of the people in the room are from Texas.

21                   JUDGE STEINBERG: Well, I can look at a map and  
22 know where Dallas is and Mesquite is and --

23                   MR. KNOWLES-KELLETT: Okay.

24                   JUDGE STEINBERG: -- Junction, Texas is, and I  
25 have a concept of how far 325 miles is.

1 MR. KNOWLES-KELLETT: It works for me.

2 JUDGE STEINBERG: And I'm sure nobody would object  
3 to me looking at a Road Atlas if it came time for me to use  
4 this information, I mean, more than just verbal description  
5 of it in a decision.

6 MR. KNOWLES-KELLETT: Junction is here.

7 JUDGE STEINBERG: I see Junction and I see Dallas.  
8 It's in the southwest.

9 MR. KNOWLES-KELLETT: Yes, sir.

10 JUDGE STEINBERG: And there doesn't look to be any  
11 major, major roads going there.

12 THE WITNESS: You can go down this way but -- or  
13 you can go through.

14 JUDGE STEINBERG: This way would be?

15 THE WITNESS: Down on Interstate 35.

16 JUDGE STEINBERG: I-35.

17 THE WITNESS: Yes.

18 JUDGE STEINBERG: And then left.

19 THE WITNESS: You could go down Interstate 25, cut  
20 off at Georgetown and go west. That would be one way to go.  
21 Or you can go through the country. We found that it's just  
22 as easy to go through the country at times. It's a little  
23 further to go down the interstate. It's about a six to  
24 seven-hour drive.

25 MR. KNOWLES-KELLETT: I have what I would like

1 marked as EB Exhibit 69, Your Honor.

2 (Pause.)

3 JUDGE STEINBERG: The document is a 14-page  
4 document. The first page is a map. The second page is a  
5 copy of a 1996 Weekly Professional Appointment's Day Minder  
6 Book, and it's got other things, receipts and stuff attached  
7 to it, so let's call it map book and receipts.

8 And I have your next number as No. 70.

9 MR. KNOWLES-KELLETT: That's what I have as well,  
10 Your Honor.

11 JUDGE STEINBERG: So it will be identified as  
12 Enforcement Bureau Exhibit No. 70.

13 (The document referred to was  
14 marked for identification as  
15 Enforcement Bureau Exhibit No.  
16 70.)

17 BY MR. KNOWLES-KELLETT:

18 Q How it that you know that you were in Junction,  
19 Texas that weekend?

20 A I know I was in Junction, Texas by my appointment  
21 book, checks that I wrote to the church that week, and the  
22 fact that I bought gasoline in Junction, and made several  
23 telephone calls that are documented.

24 Q Okay. Let's go through this.

25 Can you describe what pages 2 through six of

1 what's been marked as EB Exhibit 70 are?

2 A Yes, sir. They are my professional appointment  
3 calendar for 1996.

4 Q Okay. And if you turn to the 21st, which was  
5 Friday.

6 A Yes, sir.

7 Q Can you describe what significant the marks have  
8 on this page?

9 A Well, on Friday, I had an appointment at eight  
10 o'clock, and then we were marked out from 12:30 on because  
11 we were traveling to Junction, and it's a six to seven-hour  
12 trip to Junction from Mesquite, so we used the afternoon to  
13 travel down there.

14 Q Okay. So is that the significance of the  
15 appointment book? Is there anything else that's significant  
16 to tell you that you were in Junction that weekend?

17 A No, sir.

18 Well, the only other thing is there is -- of  
19 course, there is no appointments on Saturday because I was  
20 not in town.

21 Q Okay.

22 JUDGE STEINBERG: Do you usually schedule  
23 appointments for Saturday?

24 THE WITNESS: I can if people want to see me on  
25 Saturdays. I'm open and available on Saturday. I teach in